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Agenda item 87 (b)
Environment and sustainable development: International Strategy for Disaster Reduction

Letter dated 5 February 2003 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to refer to item 87 (b) of the agenda of the fifty-seventh session of the General Assembly.

In this connection, I am pleased to inform you that a meeting of the sponsors of and participants in the International Research Center on El Niño was held on 9 and 10 January 2003 in Guayaquil, Ecuador.

The meeting was chaired by the Minister for Foreign Affairs of Ecuador, the Secretary-General of the World Meteorological Organization and the Secretary of the International Strategy for Disaster Reduction, and was attended by representatives of 28 States and 18 international and regional organizations.

The Constitution of the International Research Center on El Niño (see annex) was signed at the meeting.

I should be grateful if you would have this letter and its annex circulated as documents of the General Assembly.

(*Signed*) **Luis Gallegos Chiriboga**
Permanent Representative

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Annex to the letter dated 5 February 2003 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

Constitution of the International Research Center on El Niño

[Original: English and Spanish]

WHEREAS

1.- The General Assembly of the United Nations by means of Resolution numbers 52/200, from 18th December 1997; 53/185, from December 1998; 54/220, from 22nd December 1999; and 55/197 from 20th December of 2000; A/C.2/57/L.54 from December of 2002 and the Economic and Social Council of the United Nations (ECOSOC) by means of Resolutions Numbers 1998/46, from 28th July 1998; 1999/63, from 30th July 1999 and 2000/63, from 28th July of 2000 relative to the International Cooperation to reduce the impact of the El Niño Phenomenon recommended the adoption of measures tending to the establishment of the International Research Center on El Niño with permanent headquarters in the city of Guayaquil-Ecuador.

2.- In the Action Plan, approved in the World Summit on Sustainable Development, celebrated in Johannesburg South Africa, from the 26th August to the 4th of September of 2002, the Government and Heads of State decided to support the establishment of the International Research Center on El Niño in the city of Guayaquil, Ecuador.

The Minister of Foreign Affairs, representing the Republic of Ecuador, and the Secretary General of the World Meteorological Organization, on behalf of his institution decide to initiate the establishment of the International Research Center on El Niño, in accordance with the following:

ORGANIZATION AND ESTABLISHMENT

ARTICLE 1.-

The International Research Center on El Niño (CIIFEN), with permanent headquarters in the City of Guayaquil, Ecuador is established.

CIIFEN will have juridical personality with full capacity to have rights and obligations, it will have the capacity to enter into contracts, to acquire and dispose of immovable or movable property and to institute legal proceedings.

The International Research Center on El Niño (CIIFEN), with permanent headquarters in the City of Guayaquil is an international Organism that is hereby constituted and governed by the present Constitution.

PARTICIPATION

ARTICLE 2.-

- All the States Members of the United Nations (the UN) and its Specialised Agencies and Programs, dedicated to research on El Niño will be able to participate.

- CIIFEN, will be able to establish, through agreements, relations with Specialized Agencies of United Nations and other organizations and institutions interested in the objectives of the Center.

FUNCTIONS AND OBJECTIVES OF THE CIIFEN

ARTICLE 3.-

CIIFEN has the following objectives:

- To reduce the effects of the negative impacts of El Niño Events in Western South America in particular and other parts of the world in general, maximizing the socioeconomic benefits and diminishing the damages by means of the reduction of losses by disasters and the use of alert for sectors like agriculture, the fishing, water management and public health. All the previous within a frame of ample cooperation International and plenary session use of the World-wide Centers of Scientific research related to the El Niño phenomenon.

- To translate the scientific knowledge in applications of social, economic value and of development, including the reduction of the risk of disasters.

STATUTORY BODIES

ARTICLE 4.-

The CIIFEN is made up of the following bodies:

1.- The International Board
2.- The International Director
3.- The Scientific Advisory Committee
4.- Other bodies to be established as requested

THE INTERNATIONAL BOARD

FUNCTIONS

ARTICLE 5.-

The International Board will have the following functions:

a) To determine the general principles and policies that govern the operations of the Center and to give directives in a general way with respect to the implementation of such principles and policies.

b) To approve the yearly activity program an budgets of the Center.

c) To review and to approve the annual reports of the Director of the Center.

d) To approve the Financial and Administrative Regulations of the Center.

e) To establish Administrative, Technical, Scientific and Financial the Committees that are necessary for the efficient performance of CIFEN.

f) To designate the international Director of the Center.

g) To organize periodic meetings of the Members of the Directory.

h) To approve the regulations and procedures required for the operation of the Board.

i) To adopt the necessary tasks for the efficient operation of the Center.

COMPOSITION

ARTICLE 6.-

The International Board will be made up of:

1. The Secretary General of the World Meteorological Organization or his representative

2. The Director of the International Strategy for the reduction of Disasters or his representative

3. The Minister of Foreign Affairs of the Republic of Ecuador or his representative,

4. A representative of the countries and/or agencies that express their will to integrate it

THE INTERNATIONAL DIRECTOR

FUNCTIONS

ARTICLE 7.-

The International Director will have the following functions:

a) Represent Legal, Judicial and Extra judicial the CIIFEN.

b) To install the Center in the premises yielded by the State of Ecuador.

c) To participate in representation of the CIIFEN in meetings and relevant activities on El Niño Phenomenon and related topics.

d) Responsible for the handling of the financial resources of the CIIFEN.

e) To elaborate the Annual Operative Budget of the Center.

f) To organize activities and/or conferences related to natural phenomena, inp particular related to the Phenomenon of "El Niño" and "La Niña".

g) To summon the participation of Public and Private organizations for the development of Scientific projects on the El Niño Phenomenon.

h) To look for the collaboration of institutions through the identification of funding opportunities, and to try, as far as possible, to secure the contribution of these initial funds for the conformation of the personnel of the Center, operative funds and other in kind contributions.

i) To look for scientific, technical and financial international cooperation for the functioning of the Center

j) To make the Selection and hiring of the technical, scientific and administrative personnel required for the good performance of the CIIFEN.

k) To direct and to coordinate the managing and operation of the CIIFEN

l) To offer the support required by the Directory International. For the effect it will act as the Secretary of the referred organ.

OF THE INTERNATIONAL SCIENTIFIC ADVISORY COMMITTEE

ARTICLE 8.-

This committee advises the International Board on the quality and main directorate of the activities and scientific operations of the Center. Normally it would meet once to the year. Also it will advise on the strategic planning and the fixation of priorities. The members of the committee will be chosen on the basis of their scientific experience and its experience in the handling of programs and international projects. The expenses of participation of the members in this Committee will be the responsibility of their institutions or organisms which they represent.

FINANCIAL REGULATIONS

ARTICLE 9.-

The activities and operation of the CIIFEN will be funded with contributions of the International Community, in accordance with the recommendations formulated by the International Board, and can be in cash or in kind and they might also come from private donors and other institutions and organizations interested in the activities of the CIIFEN.

ARTICLE 10.-

CIIFEN and their representatives, will enjoy the privileges and immunities granted to the International Organisms. For such effect, the Director of the Center will subscribe with the Government of the Republic of Ecuador an Agreement relative to these privileges and immunities, according with current norms in Ecuador.

AMENDMENTS

ARTICLE 11.-

The present Constitution can be amended by recommendation of the International Board.

SETTLEMENT OF DISPUTES

ARTICLE 12.-

Any question in dispute that might arise concerning the interpretation or application of any provision of this Constitution, shall be determined by the International Board.

DURATION AND TERMINATION

ARTICLE 13.-

The present Constitution has been approved by the members of the International Planning Committee of CIIFEN, in the city of Guayaquil, Ecuador, the 10th of January of 2003 and will enter into force since this date.

Done at Guayaquil, Ecuador, as of tenth day of January, Two thousand and three, in Spanish and English languages, both texts being equally authentic.

Heinz Moeller Rothe
Minister of Foreign Affairs

Professor G.O.P. Obasi
Secretary General of World Meteorological Organization